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IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

W.P. NO.....4382/2005

PETITIONER

Ramesh Chandra Gulati
Aged about 48 years
S/O Shri Banarsi Das Gulati
Food Inspector Food Civil Supplies
Corporation, Arang District Raipur
(Chhattisgarh)

P.R. No. 4522/05
Presented by Shri. Ramesh Chandra Gulati
dated 31/05/05

VERSUS

RESPONDENTS

1. State of Chhattisgarh
Through the Principal Secretary
Department of Food and Civil Supplies
and Consumer Protection,
D.K.S. Bhavan, Mantralaya, Raipur
(Chhattisgarh)
2. Food Controller
State of Chhattisgarh
Collectorate, Raipur (Chhattisgarh)
3. Harikrishan Rathore
Food Inspector
Presently posted at Arang
C/O Collector, Raipur (Chhattisgarh)

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**PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF
INDIA FOR ISSUANCE OF APPROPRIATE WRITS OF MANDAMUS AND
CERTIORARI AND FOR OTHER SUITABLE WRITS AND DIRECTIONS:**

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP/4382/05 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<u>08.11.2005</u> Petitioner by Shri Jitendra Pali, Advocate. Respondents No. 1 and 2 by Shri Arun Sao, Deputy Govt. Advocate. Heard. The petitioner was working on the post of Food Inspector in Block- Arang. The Food Controller, who is head of the District in the department, vide order dated 31.08.2005 transferred the petitioner from Block Arang to Raipur city i.e. within the same district after obtaining approval of the Minister-in-Charge. Learned counsel for the petitioner submits that there is complete ban on transfer and the Food Controller is not a competent officer to transfer the petitioner, who is a Food Inspector. After hearing learned counsel for the parties and perusing all the records, I found that by memo dated 18.8.2005 Class-III and Class-IV employees are permitted to be transferred due to administrative exigency after getting approval of the Minister-in-Charge. The petitioner is a Class-	

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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मामला क्रमांक WP/4382/05 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

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	III employee and the order has been passed transferring the petitioner from one Block to the city i.e. within the same district. If there is no mention about administrative reasons in the order, it would not mean that the order suffers from arbitrariness or it has been passed contrary to the policy. As such no interference is called for by this Court exercising the extraordinary jurisdiction under Article 226 of the Constitution of India. In view of the foregoing, the petition deserves to be and is dismissed. No order as to costs.	Sd/- Satish K. Agnihotri Judge

SP/FS/2005 - 20,000

10.11.05
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